

REMARKS

The Examiner is thanked for the due consideration given the application. A substitute abstract has been provided. The specification has been amended to add headings and to not refer to the claims.

Claims 23, 24 and 26-45 are pending in the application. Claims 12-22 and 25 have been cancelled by this amendment. Support for the amendments to claim 23 can be found in, e.g., Figure 1 of the application. Claims 27 and 29 have been amended to improve their language. New claims 32-43 correspond to allowable claims in the corresponding EP application. New Claims 44 and 45 find support in Figure 5 and in the specification at page 5, lines 30-31.

No new matter is believed to be added to the application by this amendment.

The Abstract

The abstract has been objected to regarding the phraseology. A substitute abstract has been provided.

Rejection Under 35 USC §112

Claims 14, 20 and 27 have been rejected under 35 USC §112, second paragraph as being indefinite. This rejection is respectfully traversed.

Claims 14 and 20 have been cancelled, thus rendering the rejection of these claims moot.

The Official Action asserts that the term "for example" in claim 27 is indefinite. However, this term has been removed from claim 27.

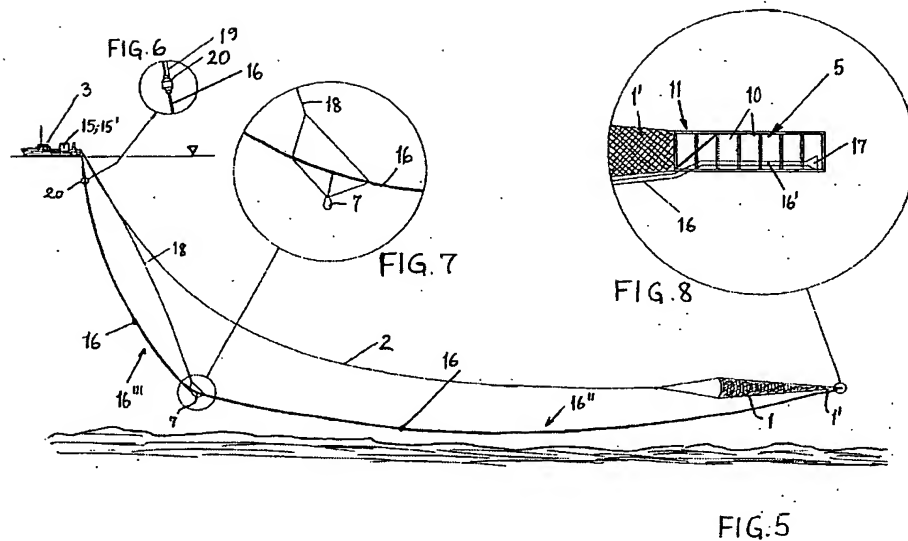
The claims are thus clear, definite and have full antecedent basis.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Rejections Based On HUDSON

Claims 12-15, 17-19, 21-28 and 30-31 have been rejected under 35 USC §102(b) as being anticipated by HUDSON (U.S. Patent 1,447,553). Claim 16 has been rejected under 35 USC §103(a) as being unpatentable over HUDSON in view of MINTER (U.S. Patent 3,440,752). Claim 20 has been rejected under 35 USC §103(a) as being unpatentable over HUDSON in view of OORSCHOT (U.S. Patent Publ. 2005/0160655). Claim 29 has been rejected under 35 USC §103(a) as being unpatentable over HUDSON in view of MINTER. These rejections are respectfully traversed.

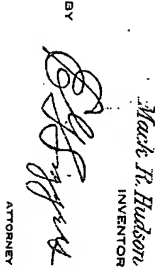
The present invention pertains to a trawl that is illustrated, by way of example, in Figures 5-8 of the application, which are reproduced below.



Figures 5-8 show a trawl 1 having a conveying hose 16 leading to a vessel 3. An injector 20 is located at an upper part of the upward extending portion 16''' of the hose 16.

Independent claim 23 of the present invention recites: "an injector mounted in said upper region of said conveyor having said upward gradient, wherein said upper region is located between the vessel and an upper part of the trawl and is substantially spaced from the trawl." This substantial spacing of the injector from the trawl is also reflected in new independent claim 32.

HUDSON pertains to a trawl. Figure 1 of HUDSON is reproduced below.



As is discussed at page 6 of the specification, a considerable advantage of placing the injector substantially closer to the vessel (and away from the trawl) is that the conveying path for air or other fluid to the injector is shorter, which makes smaller demands as regards to the fluid pressure that will be required in the supply hose in order to bring the seafood/biomass up to the vessel. The technology of HUDSON fails to provide these advantages.

HUDSON thus fails to anticipate the claimed invention. The secondary references were utilized to reject claims that are now cancelled and thus no longer pertain or, alternately (as in MINTER), fail to address the deficiencies of HUDSON discussed above. A *prima facie* case of unpatentability has thus not been made.

These rejections are believed to be overcome, and withdrawal thereof is respectfully requested.

Statement of Substance of Interview

The Examiner is thanked for graciously conducting a personal interview with the applicant's representative on February 14, 2008. During the interview the patentability of the present invention was discussed in light of HUDSON. Also, proposed claims amendments were discussed.

At the end of the interview the Examiner prepared the Interview Summary. The Interview Summary has been reviewed and it appears to accurately reflect the substance of the interview.

Conclusion

The Examiner is thanked for considering the Information Disclosure Statement filed June 15, 2005 and for making an initialed PTO-1449 form of record in the application.

Prior art of record but not utilized is believed to be non-pertinent to the instant claims.

The objections and rejections are believed to be overcome, obviated or rendered moot, and that no issues remain.

The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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RG/mjr

APPENDIX:

The Appendix includes the following item(s):

- ☒ - a substitute Abstract of the Disclosure